

IN THE US PATENT AND TRADEMARK OFFICE

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| Application Number: | 10/782,017 |
| Attorney Docket Number | NSL-029 |
| Filing Date: | February 19, 2004 |
| Applicant: | Dong Yu et al. |
| Application Title: | SOLUTION-BASED FABRICATION OF PHOTOVOLATIC CELL |
| Examiner: | Barton, Jeffrey Thomas |
| Art Unit: | 1795 |

COMMUNICATION

Commissioner of Patents and Trademarks
Alexandria, VA 22313

Sir:

In response to the Notice of Allowance mailed September 18, 2009, kindly consider the following remarks.

REMARKS:

EXAMINER'S AMENDMENT

An Examiner's amendment accompanied the Notice of Allowance. The Applicants submit that the amendment merely make explicit that which was implicit in the claim. As such, no new matter has been entered with these amendments. Furthermore, the Applicants submit that these amendments do not narrow the scope of any claim limitation within the meaning of the decision in *Festo*.

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The Applicants object to the Examiner's reasons for allowance, to the extent, if any, that the Examiner's reasons for allowance based on this reference or any of the other cited references may be interpreted as introducing limitations not recited in the claims. The Examiner's comments regarding criticality of any particular component of the claimed invention or characterization of the cited references reflect merely the view of the Examiner and should not be interpreted as narrowing the scope of the claim. The scope of the present invention should be determined with reference to the paramount rule of claim construction that claims are given their

plain meaning, in the broadest manner possible along with their full scope of equivalents (unless otherwise specified by definitions provided by the Applicant).

CONCLUSION

The Applicants respectfully request that the above comments be entered into the record of the application and that the application be scheduled for publication and issuance in due course.

Respectfully submitted,

Respectfully submitted,

/Hao Y. Tung/

Hao Y. Tung, Reg. No. 43,209

Date: December 18, 2009

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